

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CASEY A. FJELD,

Plaintiff,

v.

CAROLYN W. COLVIN,
Commissioner of Social Security

Defendant.

NO: 2:14-CV-00375-RMP

ORDER GRANTING STIPULATED
MOTION FOR REMAND

BEFORE THE COURT is the parties' Stipulated Motion for Remand, **ECF No. 17**. The parties move the Court to remand this case for further administrative proceedings before an administrative law judge, a *de novo* hearing, and a new decision regarding Plaintiff's application for supplemental security income benefits under Title XVI of the Social Security Act. ECF No. 17. Plaintiff is represented by Joseph M. Linehan. Assistant United States Attorney Pamela J. DeRusha and Social Security Administration counsel Jeffrey Eric Staples represent Defendant. The Court has reviewed the motion, all relevant filings, and is fully informed. The Court finds good cause to grant the motion.

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ORDER GRANTING STIPULATED MOTION FOR REMAND ~ 1

1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. The parties' Stipulated Motion for Remand, **ECF No. 17**, is **GRANTED**.

3 **2. Plaintiff's Motion for Summary Judgment, ECF No. 12, is STRICKEN**
4 **as moot.**

5 **3. Judgment** shall be **ENTERED** for Plaintiff.

6 4. Pursuant to sentence four of 42 U.S.C. § 405(g), the Commissioner's
7 decision in regard to Plaintiff's applications for supplemental security
8 income benefits under Title XVI of the Social Security Act is
9 **REVERSED** and **REMANDED** to the Commissioner of Social Security
10 for further administrative proceedings before an Administrative Law
11 Judge, a de novo hearing, and a new decision. *See Melkonyan v.*
12 *Sullivan*, 501 U.S. 89 (1991).

13 5. **Upon remand**, the Administrative Law Judge will give further
14 consideration to the opinion of John Arnold, Ph.D., and explain the
15 weight given to the opinion; if necessary, further develop the record; if
16 warranted, reassess the claimant's residual functional capacity; if
17 necessary, obtain supplemental evidence from a vocational expert to
18 clarify the effect of the assessed limitations on the claimant's
19 occupational base; and provide the claimant an opportunity for a hearing.

20 6. Plaintiff will be entitled to **reasonable attorney fees and costs** pursuant
21 to the Equal Access to Justice Act, 28 U.S.C. § 2412(d), upon proper

request to this Court.

IT IS SO ORDERED. The District Court Clerk is directed to enter this Order, to provide copies to counsel, and to **close** this case.

DATED this 2nd day of September 2015.

s/ Rosanna Malouf Peterson
ROSANNA MALOUF PETERSON
Chief United States District Court Judge